REMARKS

In the *final* Office Action mailed October 18, 2010 the Office noted that claims 15-32 were pending and rejected claims 15-22 and 27-32 and objected to claims 23-26. In this amendment claims 17, 31 and 32 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 15-32 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

ALLOWABLE SUBJECT MATTER

The Office has indicated that claims 23-26 would be in a condition for allowance if re-written to include the features of the independent claims and any intervening claims as well as overcoming the indefiniteness rejection. The Applicant thanks the Office for the consideration given the claims and submits that the claims are allowable for the reasons discussed below.

REJECTIONS under 35 U.S.C. § 112

Claim 32 stands rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. In particular the Office asserts that that the Specification does not teach the comparison of a current image and a stored image. The Applicant respectfully disagrees. ¶¶ 0045-0049 of the printed publication version of the Specification state:

By **analyzing** said target using appropriate software
that enables the method of the invention to be
implemented, it is possible automatically to **monitor
the position of an image point on the target. If the
image point is the image of a stationary point in the
scene 2, then when the camera moves in elevation and/or
azimuth, the image point will change its position. By
tracking the changes in the position of the image
point**, it is thus possible to determine the beginning
and the end of movement of the real image of the scene
2 relative to the target, and to deactivate the
processor member until the position of the image point
has become stationary again.

When the image becomes stable again, i.e. **when the
image point is analyzed as being stationary relative to
the target**, the processor member 6 again runs the
process for detecting incidents using the AID type
method as defined above.

Similarly, when the scene 2 is zoomed in or zoomed out,
the image on the target will respectively become larger
or smaller, and the same will therefore apply to the
distance between two image points.

In the same manner as described above, it is possible
to determine the beginning and the end of a zoom
operation, and while it is taking place, to deactivate
the processor member at least in part, with the portion
that remains active serving, for example, to watch for
a return to stability.

Once the image has become stable again for a certain
length of time as determined by the person skilled in
the art, i.e. **once two image points are analyzed as
remaining at a constant distance apart, i.e. once their
respective addresses have become stationary again**, the
processor member 6 again runs the process for detecting
incidents using the AID method as defined above.
[Emphasis added]

One of ordinary skill in the art understands that the

comparison of a point in a current image and previous image is

required in order to analyze whether the scene is stationary.

Withdrawal of the rejection is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 15-21, 27 and 31 stand rejected under 35 U.S.C. § 103(a) as being obvious over Liam, WO 01/33503 in view of Tanaka, U.S. Patent No. 5,798,793 in view of Bague, U.S. Patent No. 6,246,933. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Liam discusses detecting a traffic incident of a vehicle via a sequence of video images.

Bague discusses an on-board vehicle accident analysis system that records vehicle parameters and video images taken by cameras within the vehicle.

Tanaka discusses detecting a change in panning of a camera.

On page 2 of the Office Action, the Office states "Further on page 12, Applicant argues that Tanaka does not "disclose in any manner detecting stationarity of a camera by comparing points in a scene with their image in a plane of the camera. However, this limitation is not recited in the rejected claims."

The Applicant respectfully disagrees. The previously presented claim recites "determining in said video camera at least one point selected on a current real image of said scene, outside of said portion of said route, which is approximately at the same position on at least one of a set of immediate previous

targets". Indeed, this is one mode of comparing point(s) in a scene (at least one point in a scene) with their image in a plane of the camera (one of the previous targets).

However, to more fully express the feature, Applicant has amended the claim 17 to recite "i) *selecting* at least one point on a current real image of said scene, outside of said portion of said route; *ii) comparing said at least one point on said current real image with said at least one point* on at least one of a set of immediate previous targets; *iii) determining that said at least one point is approximately at the same position in said current real image as in at least one of a set of immediate previous targets; iv)*a) *upon failure to determine the same position in step iii, re-execute steps i) through iii) with at least one other point; and iv)*b) *upon determining the same position in step iii), proceed* to step B)." (Emphasis added)

Such features are not disclosed or taught by the prior art. Claim 31 has been amended in a similar manner.

Therefore, for at least the reasons discussed above, Liam, Tanaka and Bague, taken separately or in combination, fail to render obvious the features of claim 17 and 31 and the claims dependent therefrom.

Claims 22 and 28-30 stand rejected under 35 U.S.C. § 103(a) as being obvious over Liam in view of Tanaka in view of Bague further in view of Michalopoulos, U.S. Patent No. 4,847,772.

Michalopoulos discusses a traffic analysis system in which pixels selected and marked for further processing by an operator.

Michalopoulos adds nothing to the deficiencies of Liam and Bague as applied against claim 17 as discussed above. Therefore, Liam, Bague and Michalopoulos, taken separately or in combination, fail to render obvious the features of claims.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 15-32 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional

fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

_____/James J. Livingston, Jr./_____
James J. Livingston, Jr.
Reg.No. 55,394
209 Madison St, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
JJL/fb   (703) 979-4709